



64

GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
OFFICE OF THE GOVERNOR
LANSING

GARLIN GILCHRIST II
LT. GOVERNOR

September 30, 2019

Michigan House of Representatives
State Capitol
Lansing, MI 48909-7514

Representatives,

I have signed Enrolled House Bill 4231, which makes appropriations for the Department of Corrections for the fiscal year ending September 30, 2020. I have, however, disapproved eight items pursuant to article 5, section 19 of the Michigan Constitution of 1963. The specific item vetoes are detailed in the attached copy of the bill that has been filed with the secretary of state.

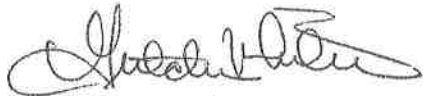
To provide direction regarding the implementation of this appropriations act, I note the following:

- I have disapproved section 226, which purports to repurpose funds previously appropriated to work projects that have not ended or been lapsed as required by section 451a of the Management and Budget Act. Because I have disapproved that section using the line-item veto power, the funds in question must remain in their existing work project accounts. I also note that this section violates article 4, section 25 of the Michigan Constitution of 1963.
- Section 206 and subsection (1) of section 419 violate the separation of powers required by article 3, section 2, among other provisions of the Michigan Constitution of 1963. I note in particular that, although the legislature may require periodic reports from executive departments, the weekly frequency of the reporting required by section 419 crosses the line from general oversight to direct supervision, and is therefore unenforceable.
- Sections 225 and 248 violate article 4, section 25 of the Michigan Constitution of 1963, and are therefore unenforceable.
- Finally, those provisions of this bill that express merely the intent, advice, preferences, or wishes of the legislature do not impose conditions upon appropriations and are non-binding.

Michigan House of Representatives
September 30, 2019
Page 2 of 2

Thank you for your attention to these matters.

Sincerely,



Gretchen Whitmer
Governor

cc: Michigan Senate
The Honorable Jocelyn Benson

FILED WITH SECRETARY OF STATE

ON 9/30/19 AT 7.34 P.M.